

provisionally rejected under the judicially created doctrine of obviousness-type patenting as being unpatentable over claims 3-12 of copending Application No. 10/225,549.

Claims 1-13 were further provisionally rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-15 of copending Application No. 10/787,924.

Claims 1-13 were further provisionally rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over Claims 1-11 of copending Application No. 10,751,822.

As noted by the Examiner, a timely filed terminal disclaimer in compliance with 37 CFR 1.321(c) may be used to overcome such rejections as the referenced applications are all commonly owned by the assignee Cequent, Inc.

Applicant herewith submits a Terminal Disclaimer to obviate a provisional double patenting rejection over a pending "referenced" application in accordance with 37 CFR 1.321(c).

Also enclosed for the convenience of the Examiner are copies of Notice of Recordation of Assignment documents from the U.S. Patent and Trademark Office showing that each of the

reference applications are commonly owned Cequint, Inc.

In view of the foregoing, it is respectfully submitted that the application is now in condition for allowance and an early notice to that effect is earnestly solicited.

The undersigned further wishes to thank the Examiner for the helpful comments made during the course of the examination designed to advance the prosecution of the application.

Should the Examiner have any questions or require any additional information, it is requested that he contact the undersigned at the direct line phone number listed below.

Respectfully submitted,

Frank Frisenda, Jr.  
Registration No. 27,884

4386 So. Eastern Avenue  
Suite D  
Las Vegas, Nevada 89119  
Telephone: (702/792-3910)